

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7835

BILL NUMBER: SB 474

NOTE PREPARED: Apr 30, 2003

BILL AMENDED: Apr 3, 2003

SUBJECT: Commercial Driver's Licenses.

FIRST AUTHOR: Sen. Wyss

FIRST SPONSOR: Rep. Reske

BILL STATUS: Enrolled

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☒ **FEDERAL**

IMPACT: State

Summary of Legislation: This bill requires the Bureau of Motor Vehicles (BMV) to adopt rules regulating a person who holds a Commercial Driver's License (CDL). It adopts federal law concerning commercial drivers into Indiana law. The bill specifies that certain probationary and restricted driving privileges do not apply to a person holding a Commercial Driver's License who has committed certain disqualifying acts under federal law, and repeals and relocates language concerning the issuance of a restricted license. It also makes conforming changes.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: (Revised) The provisions of this bill will take effect after June 30, 2005. The BMV reports that this proposal is needed to allow the BMV to adopt rules to comply with federal laws and regulations. In addition, the BMV reports that Indiana's Commercial Driver's License program could be decertified without these statutory changes, resulting in Indiana no longer being eligible to issue CDLs. Based on CY 2002 data, the Bureau of Motor Vehicles Commission (BMVC) would lose approximately \$620,000 in CDL fees, while the BMV would lose about \$742,000 in CDL fees.

The State Police report that federal funds for the Motor Carrier Safety Assistance program, amounting to between \$5 M and \$6 M, would be lost. In addition, the Department of Transportation reports that 10% of federal highway funds, or \$70 M, could also be lost.

Explanation of Local Expenditures:

Explanation of Local Revenues: (Revised) *Probationary and Restricted Driving Privileges:* Under current law, the court may allow a person to be placed on probation and be issued a restricted driver's license for a period of between three and ten years. This bill would not allow this arrangement for persons convicted of a federal traffic regulation involving a commercial vehicle. This provision should have minimum effect on local law enforcement and probation programs since most prosecuting attorneys do not routinely allow commercial drivers to be placed in these types of diversion programs.

State Agencies Affected: Bureau of Motor Vehicles; Department of Revenue; State Police; Department of Transportation.

Local Agencies Affected:

Information Sources: Jane Morrical, Director of Treasury, Bureau of Motor Vehicles, 232-2822; Marilyn Cage, Deputy Commissioner, Bureau of Motor Vehicles, 233-2812; Jim Poe, Director of Motor Carrier Services, Department of Revenue, 615-7201; Rick Whitney, Deputy Commissioner and Chief Financial Officer, Department of Transportation, 232-1472; *BMV Cash Audit Report*, December 30, 2002; Steve Johnson, Indiana Prosecuting Attorneys Council.

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